

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

UNITED STATES OF AMERICA

Action No.: 7:08CR54-01

-vs-

Date: 12/8/2009

Judge: James C. Turk

WILLIAM A. WHITE

Court Reporter: Judy Webb

LIST OF WITNESSES

Attorney

John Richmond, Cindy Chung, &
C. Patrick Hogeboom, III

Attorney

David Damico & Raphael Ferris

PLAINTIFF/GOVERNMENT:

DEFENDANT:

1. _____
2. _____
3. _____
4. _____

1. _____
2. _____
3. _____
4. _____

PROCEEDINGS:

Motions Hearing (USPO Michael Price present)

Court grants uncontested Motions #91 and #107.

Defendant Motion #70: Defendant (Ferris) argues along with Defendant's Motion #111. USA (Richmond) argues. Defendant (Ferris) final argument. The Court rules that the specified wording will not be read to the jury. The balance of Motion #111 is deferred.

USA's Motion #92: USA (Chung) argues. Defendant (Damico) argues. USA and Defendant final comments. The parties agree that the motion is uncontested.

USA's Motion #93: USA (Richmond) argues. Defendant (Ferris) argues. USA (Richmond) final argument. Court directs defendant to refrain from mentioning subject of motion in their opening statement.

USA's Motion #94: USA (Chung) argues. Court defers ruling until presentation of the evidence.

USA's Motion #100: USA (Chung) to court. Court defers ruling on motion until the presentation of evidence.

USA's Motion #111: USA (Richmond) argues. Defendant to court. The Court will rule as the evidence develops.

USA's Oral Motion to exclude reference to Government's declination of prosecution. Defendant (Damico) argues. USA (Richmond) argues. The Court defers ruling until evidence develops.

Parties to be present at 9:30 tomorrow to begin jury trial.

Defendant remanded to custody.

Total time in court: 1 hour, 22 minutes (1:33-2:55)

Clerk: S. Sakalas

Initials of Deputy Clerk _____